

# Ex. M-K(b)

Summons and Complaint to McNally

DISTRICT COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK, 1ST DISTRICT, BABYLON

INDEX #

8

SUMMONS

MIDLAND FUNDING LLC  
A/P/O BENEFICIAL

PLAINTIFF'S ADDRESS  
8875 AERO DR STE#200  
SAN DIEGO CA 92123

- AGAINST -

LEEANN DEROSA

DEFENDANT'S ADDRESSES  
151 HILARY ST

X

DEFENDANT(S). OAKDALE NY 11769

CONSUMER CREDIT TRANSACTION

THE BASIS OF THE VENUE IS:

A DEFENDANT RESIDES IN THE COUNTY OF SUFFOLK  
THE TRANSACTION TOOK PLACE IN THE COUNTY OF SUFFOLK

TO THE ABOVE NAMED DEFENDANT(S): LEEANN DEROSA

BAC  
051240/12  
2/2/12

YOU ARE HEREBY SUMMONED AND REQUIRED TO APPEAR IN THE DISTRICT COURT OF THE COUNTY OF SUFFOLK, 1ST DISTRICT, BABYLON PART AT THE OFFICE OF THE CLERK OF THE SAID COURT AT 30 EAST HOFFMANN AVE LINDENHURST, NY IN THE COUNTY OF SUFFOLK, STATE OF NEW YORK BY SERVING AN ANSWER TO THE ANNEXED COMPLAINT UPON PLAINTIFFS ATTORNEY, AT THE ADDRESS STATED BELOW, OR IF THERE IS NO ATTORNEY, UPON THE PLAINTIFF, AT THE ADDRESS STATED ABOVE WITHIN THE TIME PROVIDED BY LAW AS NOTED BELOW;

UPON YOUR FAILURE TO ANSWER, JUDGMENT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT, TOGETHER WITH THE DISBURSEMENTS OF THIS ACTION.

DATED THE 6 DAY OF FEBRUARY , 2012

FILE NO.  
P148542655334  
ORIG CRED: BENEFICIAL  
ORIG ACCT# END IN: 4552

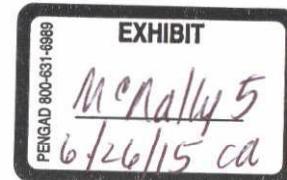
FORSTER & GARBUS LLP  
ATTORNEY(S) FOR PLAINTIFF  
60 MOTOR PARKWAY  
COMMACK, NY 11725  
(631) 393-9400

NOTE: THE LAW PROVIDES THAT:

(A) IF THIS SUMMONS IS SERVED BY ITS DELIVERY TO YOU, OR (FOR A CORPORATION) AN AGENT AUTHORIZED TO RECEIVE SERVICE , PERSONALLY WITHIN THE COUNTY OF SUFFOLK YOU MUST ANSWER WITHIN 20 DAYS AFTER SUCH SERVICE: OR

(B) IF THIS SUMMONS IS SERVED OTHERWISE THAN AS DESIGNATED IN SUBDIVISION (A) ABOVE YOU ARE ALLOWED 30 DAYS TO ANSWER AFTER THE PROOF OF SERVICE IS FILED WITH THE CLERK OF THIS COURT.

(C) YOU ARE REQUIRED TO FILE A COPY OF YOUR ANSWER TOGETHER WITH PROOF OF SERVICE WITH THE CLERK OF THE DISTRICT IN WHICH THE ACTION IS BROUGHT WITHIN TEN DAYS OF THE SERVICE OF THE ANSWER.



DISTRICT COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK, 1ST DISTRICT, BABYLON

FORMAL COMPLAINT

MIDLAND FUNDING LLC  
A/P/O BENEFICIAL

PLAINTIFF,

- AGAINST -

LEEANN DEROSA

DEFENDANT(S).

PLAINTIFF, BY ITS ATTORNEY(S), COMPLAINING OF THE DEFENDANT(S), UPON INFORMATION AND BELIEF, ALLEGES:

1. THAT THE DEFENDANT(S) RESIDES IN THE COUNTY IN WHICH THIS ACTION IS BROUGHT; OR THAT THE DEFENDANT(S) TRANSACTED BUSINESS WITHIN THIS DISTRICT AND THIS CAUSE OF ACTION AROSE OUT OF SAID TRANSACTION.

2. ON INFORMATION AND BELIEF THE DEFENDANT IN PERSON OR THROUGH AN AGENT MADE CREDIT CARD PURCHASES OR TOOK MONEY ADVANCES UNDER A CREDIT CARD OR LINE OF CREDIT ACCOUNT OR PROMISSORY NOTE/LOAN- WHICH A COPY WAS FURNISHED TO DEFENDANT. PLAINTIFF PURCHASED THIS ACCOUNT FOR VALUE AND THE DEFENDANT WAS NOTIFIED OF SAME.

3. THERE REMAINS AN AGREED BALANCE ON SAID ACCOUNT OF \$ 6,661.60 , DUE AND OWING ON PLAINTIFF'S CAUSE OF ACTION. NO PART OF SAID SUM HAS BEEN PAID ALTHOUGH DULY DEMANDED.

4. DEFENDANT(S) IS IN DEFAULT AND DEMAND FOR PAYMENT HAS BEEN MADE.

5. PLAINTIFF, AS OWNER, IS AUTHORIZED TO PROCEED WITH THIS ACTION.

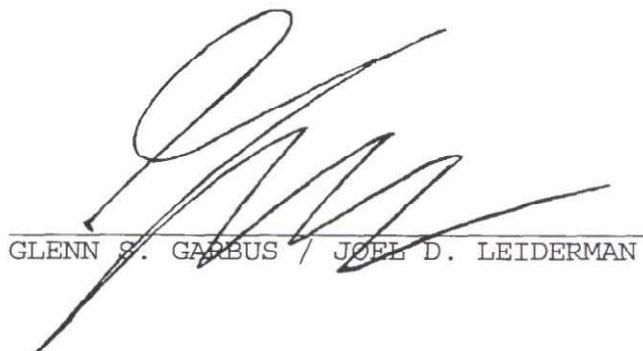
THAT THERE IS NOW DUE PLAINTIFF FROM DEFENDANT(S) THE AMOUNT SET FORTH IN THE COMPLAINT, NO PART OF WHICH HAS BEEN PAID, ALTHOUGH DULY DEMANDED.

WHEREFORE, PLAINTIFF DEMANDS JUDGMENT AGAINST DEFENDANT(S) FOR THE SUM OF 6,661.60 WITH INTEREST THEREON FROM THE 18 DAY OF DECEMBER , 2011, TOGETHER WITH THE DISBURSEMENTS OF THIS ACTION

WE ARE DEBT COLLECTORS; ANY INFORMATION OBTAINED WILL BE USED IN ATTEMPTING TO COLLECT THIS DEBT.

FORSTER & GARBUS LLP  
ATTORNEY(S) FOR PLAINTIFF  
60 MOTOR PARKWAY  
COMMACK, NY 11725

DATED: THE 6 DAY OF FEBRUARY , 2012



GLENN S. GARBUS / JOEL D. LEIDERMAN

PURSUANT TO PART 130-1.1-a OF THE RULES OF THE CHIEF ADMINISTRATOR THIS SIGNATURE APPLIES TO THE ATTACHED SUMMONS AND COMPLAINT

STATE OF NEW YORK  
2ND DISTRICT COURT LINDENHURST 30 EAST HOFFMAN AVENUE LINDENHURST, NY 11757

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Tuesday, February 21, 2012 AT 12:29 RECEIPT# 101242  
CASE #: 16 NEW INDEXES FROM BAC-51232/12 TO BAC-51247/12

RECEIVED FROM: PLAINTIFF F&G

16-FILE SUMMONS/1ST PAPER \$ 720.00  
16-CONSUMER CREDIT FEE \$ 1,520.00

TOTAL DUE:

PAYMENTS: CHECK #49733 \$ 2,240.00  
CHECK #48831 \$ 420.00  
CHECK #48835 \$ 1,400.00  
CHECK #48834 \$ 140.00  
CHECK #48833 \$ 140.00

AMOUNT TENDERED:

CHANGE: \$ .00

OPERATOR: NR REGISTER# 1

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This receipt is your proof of payment for the transaction and index number noted above. Please retain this receipt for your records. All work is processed in the order that it is received.

Agoado-F&G-000005